

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Southern Division)

ABRAHAM DJAMEN,

Plaintiff

v.

LOWE'S HOME IMPROVEMENT, LLC,

Defendant.

Case No.: 8:22-cv-2434

NOTICE OF REMOVAL

Defendant, Lowe's Home Centers, LLC, incorrectly sued herein as "Lowe's Home Improvement, LLC" ("Lowe's"), by and through its undersigned counsel, hereby gives notice of removal of the above action from the Circuit Court for Prince George's County, Maryland ("Circuit Court"), to the United States District Court for the District of Maryland, pursuant to 29 U.S.C. §§ 1332(a), 1441 and 1446. As set forth below, this Court has original diversity jurisdiction over this action pursuant to 28 U.S.C. § 1332. All requirements for the removal of this action are met through the allegations contained in the pleadings filed in this Circuit Court and in this Notice of Removal.

In support of this Notice of Removal, Lowe's states as follows:

1. There is pending in the Circuit Court for Prince Georges County, Maryland, a Complaint styled *Abraham Djamen v. Lowe's Home Improvement, LLC*, Case No. CAL22-23181 (the "State Court Action"). The Complaint in the State Court Action was filed on or about August 11, 2022. A copy of the Complaint is attached hereto as Exhibit A.
2. Defendant was served with the summons and complaint in the State Court Action on September 1, 2022.

3. This Notice of Removal is filed within thirty (30) days of the date on which Defendant first received a copy of the Complaint and is therefore timely under 28 U.S.C. § 1446(b),

4. The State Court Action is properly removed under 28 U.S.C. § 1441(a) because the State Court Action is subject to the original jurisdiction of the Court pursuant to 28 U.S.C. § 1332, as explained below.

5. Plaintiff is a resident of Prince George's County, Maryland. *See* Exhibit A, ¶ 4.

6. Lowe's is a limited liability company organized and existing under the laws of the State of North Carolina with its principal place of business in North Carolina. *See* SDAT printout, attached as Exhibit B. The sole member of Lowe's is Lowe's Companies, Inc., which is a publicly traded North Carolina corporation with its principal place of business in North Carolina.

7. Plaintiff's Complaint seeks compensatory damages in an amount in excess of \$75,000. *See* Exhibit A, "Prayer for Relief."

8. This action is properly removed on grounds of diversity of citizenship between (a) complete diversity of citizenship exists between Plaintiff and all named defendants and (b) the amount in controversy herein exceeds the sum or value of \$75,000.

9. Written notice of the filing of this Notice of Removal will promptly be given to Plaintiff and the Clerk of the Circuit Court for Prince George's County, Maryland, as required by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant, Lowe's respectfully requests that this case proceed before this Court as an action properly removed.

Respectfully submitted,

/s/ Sandra T. Carson

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of September, 2022, I caused a copy of the foregoing Notice of Removal to be served on counsel identified below via the Court's CM/ECF system, through which a copy of the document may be obtained.

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Attorneys for Plaintiff

/s/ Sandra T. Carson

Sandra T. Carson (#24699)